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Patent
Attorney's Docket No. 704641-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
Lawrence James DELUCAS et al.)	Group Art Unit: 1743
)	
Application No.: 10/617,292)	Examiner: Lyle Alexander
)	
Filed: July 10, 2003)	Confirmation No.: 2655
)	
For: METHOD FOR DISTINGUISHING)	
BETWEEN BIOMOLECULE AND)	
NON-BIOMOLECULE CRYSTALS)	

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. § 1.56, the references listed on the attached Form PTO-1449 are being brought to the attention of the Examiner for consideration in connection with the examination of the above-identified patent application.

I. Timing of the Information Disclosure Statement:

This Information Disclosure Statement is filed:

- ☐ With the new patent application submitted herewith (37 C.F.R. § 1.97(a)).
- ☐ Within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 C.F.R. § 1.491.
- ☒ Before the mailing date of a first Office action on the merits. In the event, however, that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any fees required pursuant to 37 C.F.R. §§ 1.17(p) or 1.17(i)(1).
- ☐ After a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee set forth in 37 C.F.R. § 1.17(p) is enclosed. This fee (\$180) should be charged to the undersigned's Deposit Account No. 50-2518.

II. Copies of the Cited Items:

- ☒ Copies of the foreign patent and non-patent literature documents are enclosed. Copies of the U.S. patent documents are not enclosed.
- ☐ Copies of items listed on the attached Form PTO-1499 are not supplied because they were previously cited by or submitted to the Patent Office in prior Application No. _____, filed _____, and relied upon in this application for an earlier filing date under 35 U.S.C § 120. *See 37 C.F.R. § 1.98(d).*
- ☐ Copies of those items which are marked with an asterisk (**) in the attached Form PTO-1499 were cited in a foreign examination report in a related case. A copy of the search report and the cited references not already of record in this application are attached hereto.

III. Conclusion:

Citation of the above documents shall not be construed as:

1. an admission that the documents are necessarily prior art with respect to the instant invention;
2. a representation that a search has been made, other than as described above; or
3. an admission that the information cited herein is, or is considered to be, material to patentability as defined in § 1.56(b).

It is respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials or other appropriate marks.

The Commissioner is hereby authorized to charge Deposit Account No. 50-2518 for any additional fees required in connection with the filing of this Information Disclosure Statement.

Respectfully submitted,
BINGHAM MCCUTCHEN, L.L.P.

Date: December 7, 2005

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 1 of 20

Complete if Known

Application Number 10/617,292
Filing Date July 10, 2003
First Named Inventor Lawrence James Delucas et al.
Art Unit 1743
Examiner Name Monique T. Cole
Attorney Docket Number 704641-2001

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Sheet **2** of **20**

Complete if Known

Application Number	10/617,292
Filing Date	July 10, 2003
First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
Examiner Name	Monique T. Cole
Attorney Docket Number	704641-2001

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First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
Examiner Name	Monique T. Cole
Attorney Docket Number	704641-2001

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet **4** of **20**

Complete if Known

Application Number	10/617,292
Filing Date	July 10, 2003
First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
Examiner Name	Monique T. Cole
Attorney Docket Number	704641-2001

U.S. PATENT DOCUMENTS

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Examiner Initials*	Index No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	1	AU 779792	06-09-2005			
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	26	WO 99/23284	05-14-1999			
	27	WO 99/52633	10-21-1999			

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet **5** of **20****Complete if Known**

Application Number	10/617,292
Filing Date	July 10, 2003
First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
Examiner Name	Monique T. Cole
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Index No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	28	"BMST Pervasive Technologies - Concept Paper, BMST Initiative Thrust Area: Emerging of Breakthrough Process Technologies - Definition of the Thrust Area - NACFAM," printed from http://www.nacfam.org/bmstlbmstemergingtechnologies.html on 2/26/02 (5 pages)	
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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet **6** of **20****Complete if Known**

Application Number	10/617,292
Filing Date	July 10, 2003
First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
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NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Index No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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Examiner Name	Monique T. Cole
Attorney Docket Number	704641-2001

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Attorney Docket Number	704641-2001

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	299	<u>WEBSITE</u> : "Harima Workshop on Implementation for High-throughput Structure Determination by Protein Crystallography—Present Status and Future Goal—A Satellite of International Conference on Structural Genomics 2000 at -Spring-8." printed from http://www.spring8.or.jp/english/conference on 12/19/01 (4 pages)	
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	306	WILSON, S.A. et al., "Crystallization of and Preliminary X-ray Data for the Negative Regulator (AmiC) of the Amidase Operon of <i>Pseudomonas aeruginosa</i> ," <i>J. Mol. Biol.</i> 222(4):869-871 (1991)	
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	312	YAKOVLEV Y.O. et al., "A Laboratory Apparatus for Crystal Growth From Solution," <i>Instruments and Experimental Techniques</i> , 1998, p. 292-296, Vol. 41, No. 2, Interperiodica Publishing, Russia	
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	315	YAZDI et al., "Micromachined Inertial Sensors," <i>Proceedings of IEEE</i> , 86(8):1640-1659 (1998).	
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Sheet **20** of **20****Complete if Known**

Application Number	10/617,292
Filing Date	July 10, 2003
First Named Inventor	Lawrence James Delucas et al.
Art Unit	1743
Examiner Name	Monique T. Cole
Attorney Docket Number	704641-2001

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	317	YOUNG et al., "Contoured Elastic-Membrane Microvalves for Microfluidic Network Integration," J. Biomechanical Engineering, 121:2-6 (1999).	
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	319	ZENGERLE et al., "A Micro Membrane Pump with Electrostatic Actuation," 1992 IEEE Conf. on Micro Electro Mechanical Systems, held 2/4-7/92 in Travemunde Germany, pp. 19-24.	
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